

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION**

UNITED STATES OF AMERICA, <i>ex rel.</i>	:	
DILBAGH SINGH, M.D.,	:	
PAUL KIRSCH, M.D.,	:	
V. RAO NADELLA, M.D., and	:	
MARTIN JACOBS, M.D.,	:	
	:	
Relators,	:	
	:	
v.	:	Civil Action No. 04-186E
	:	
BRADFORD REGIONAL	:	
MEDICAL CENTER,	:	
V & S MEDICAL ASSOCIATES, LLC,	:	
PETER VACCARO, M.D.,	:	
KAMRAN SALEH, M.D.,	:	
and DOES I through XX,	:	
	:	
Defendants.	:	
	:	

UNOPPOSED MOTION FOR QUALIFIED PROTECTIVE ORDER

COMES NOW Bradford Regional Medical Center ("BRMC"), by and through its undersigned attorneys, and moves this Court to enter the attached Qualified Protective Order pertaining to protected health information as required by the privacy regulations promulgated under the Health Insurance Portability and Accountability Act ("HIPAA Privacy Regulations"), specifically 45 C.F.R. §164.512(e). In support of this Motion, BRMC states as follows:

1. BRMC is a "covered entity" as that term is defined in the HIPAA Privacy Regulations. and the other Defendants in this case , as well as the Relators, may be "covered entities."

2. The HIPAA Privacy Regulations only permit covered entities to disclose protected health information in response to discovery requests without notice to the individual who is the subject of the protected health information if reasonable efforts have been made to obtain a qualified protective order that meets the requirements of 45 C.F.R. §164.512(e)(1)(v) of the HIPAA Privacy Regulations

3. It is likely that the parties will seek discovery of protected health information in this litigation and that it would be burdensome and not feasible to give notice to individuals who may be the subjects of that protected health information.

4. Counsel for Relators and for the other Defendants have informed counsel for BRMC that they have no objection to the proposed Qualified Protective Order.

WHEREFORE, BRMC respectfully requests that this Honorable Court enter the attached Qualified Protective Order.

Respectfully submitted this 11th day of December 2006.

/s/ Daniel M. Mulholland III
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Attorneys for BRMC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the attached document was filed electronically with the United States District Court for the Western District of Pennsylvania, and also served on each of the following attorneys via first class United States mail on the date set forth below:

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December 11th, 2006

Daniel M. Mulholland III